

JUL 16 2004

OFFICIAL

PTO/SB/97 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office

on July 16, 2004
Date



Signature

Elizabeth A. Dudek

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

3752-0083

RECEIVED
CENTRAL FAX CENTER

JUL 16 2004

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby verify that this correspondence is being transmitted by facsimile to The United States Patent and Trademark Office on the date indicated below, to the following facsimile number (703) 872-9306.

Elizabeth A. Duck
(Name of Person Transmitting Facsimile)

Elizabeth A. Duck
(Signature of Person Transmitting Facsimile)

7/16/04
(Date)

OFFICIAL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/645,942 Confirmation No.: 8244
Applicant : REED, HERBERT
Title : MODULAR FISHING LURE
Filed : August 22, 2003
TC/A.U. : 3643
Examiner : Kurt C. Rowan
Docket No. : 3752-0083

Hartford, Connecticut, July 16, 2004

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

ELECTION

By way of the Office Action dated June 16, 2004, the Examiner issued a restriction/election requirement asking the Applicant to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. The Examiner indicated that no claims were generic, and identified the following patentably-distinct species: FIG. 1, FIG. 2, FIGS. 3-3A, FIG. 4-4B, FIG. 5, FIG. 6, FIG. 7, FIG. 8, FIGS. 9 & 11, and FIGS. 10 & 12.

In response, the Applicant hereby elects the species shown in FIG. 1 for prosecution on the merits to which the claims shall be restricted if no generic

Application No. 10/645,942
Election Dated 07/16/04
Reply to Office Action of 06/16/04

claim is finally held to be allowable. The following claims are readable on the species of FIG. 1: 1-4, 7-10, 12, 14, 15, 18, and 19.

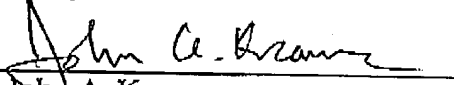
Regarding the issue of generic claims, the Applicant notes that Claim 1, while not necessarily generic to all the species, is generic as to the species of FIGS. 1-8. Accordingly, it is respectfully submitted that if Claim 1 is found allowable, Claims 2-19 would all be allowable as presenting a reasonable number of species linked by a generic claim. 37 C.F.R. § 1.141(a).

If any extension of time for the accompanying response is required, the Applicant requests that this paper be considered a petition therefor.

The Commissioner is authorized to charge any fees under 37 CFR 1.17(a) to (d), which may be required to Deposit Account No. 13-0235.

Respectfully submitted,

By


John A. Kramer
Registration No. 46,302
Attorney for Applicant

McCormick, Paulding & Huber LLP
CityPlace II
185 Asylum Street
Hartford, CT 06103-3402
Phone: (860) 549-5290